

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

CHARLES R. CROSSTY,

Petitioner, : Case No. 1:19-cv-292

- vs -

District Judge Matthew W. McFarland
Magistrate Judge Michael R. Merz

WARDEN,
Mansfield Correctional Institution,

Respondent. :

ORDER

This habeas corpus case is before the Court on Petitioner's Motion for Reconsideration (ECF No. 26) in which he seeks an extension of time to file objections to the pending Report and Recommendations (ECF No. 21).

The Report was filed July 8, 2020, making objections initially due under Fed.R.Civ.P. 72(b) on July 27, 2020. On July 30, 2020, Crossty asked for an additional sixty days (ECF No. 22) and the Court gave him thirty (ECF No. 23). In his second Motion for Extension, Crossty sought "four to six months." (ECF No. 24, PageID 823). The Court extended Petitioner's time to October 1, 2020, but wrote:

No further extensions will be granted without documentation from prison personnel showing Petitioner's lack of access to necessary resources.

The legal system has been severely impacted by the COVID-19 pandemic for almost six months. Temporary measures taken early on with the hope or expectation that they would only be necessary

for a short time will not be sufficient to satisfy constitutional demands for access to the courts over the long run. ODRC personnel must consider and adopt measures to assure court access which are viable in the long term.

(ECF No. 25, PageID 826).

In his Motion for Reconsideration, Petitioner reiterates previous statements about his need to access the law library and additional restrictions imposed because of the COVID-19 pandemic. However, he offers nothing but his own unsworn statement about the conditions at Mansfield Correctional. The Court has no independent report on the prison conditions at all.

Accordingly, it is hereby ORDERED:

1. Petitioner's time to file Objections is extended to and including November 1, 2020.
2. Respondent shall file, not later than, October 1, 2020, a sworn report on the availability of legal resources to Petitioner.

September 1, 2020.

s/ Michael R. Merz
United States Magistrate Judge